



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zhi *et al.*
Serial No. : 10/590,119
Filed : June 11, 2007

Art Unit : 1625
Examiner : Chandrakumar, Nizal S.
Conf. No. : 1033
Cust. No. : 77202

Title : ANDROGEN RECEPTOR MODULATOR COMPOUNDS AND METHODS

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR CORRECTION OF INFORMATION DISCLOSURE STATEMENT
CLASSIFICATION UNDER 37 CFR 1.181

Dear Sir:

Applicant respectfully submits this Petition under 37 CFR 1.181 to correct the misclassification of submitted Information Disclosure Statements.

Remarks begin on page 2 of this paper.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number: EM 315355710 US

Date of Deposit: January 07, 2011

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Mail Stop Petition, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Christopher M. Ochs

01/12/2011 CCHAUI 00000004 021818 10590119

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REMARKS

This Petition is submitted under 37 CFR 1.181 to request the correction of misclassified Information Disclosure Statements submitted in connection with the above-referenced application. Petitions submitted under 37 CFR 1.181 invoke the supervisory authority of the Director. Provided are this Petition under 37 CFR 1.181, an authorization to charge any fee due to Deposit Account No. 02-1818, and copies of two (2) misclassified Information Disclosure Statements.

Statement of Facts

Information Disclosure Statements were submitted in connection with the above-captioned application on January 29, 2010 and September 13, 2010. Each Information Disclosure Statement was prepared in accordance with 37 C.F.R. 1.97 and 1.98. As required under 37 C.F.R. 1.98, each Information Disclosure Statement contained 1) a list of all patents, publications, applications, or other information submitted for consideration by the Office, including a column that provides a space next to each document to be considered, for the Examiner's initials and a heading that clearly indicates that the list is an Information Disclosure Statement; and 2) legible copies of all items listed. The items either were in English or a translation was provided. Copies of the misclassified Information Disclosure Statements filed on January 29, 2010 and September 13, 2010 are attached.

The submitted Information Disclosure Statements included a tabular Form PTO-1449, which was classified as an "IDS," and a written disclosure of information. In each instance, the written disclosure of information was misclassified in PAIR as a "Transmittal Letter" (January 29, 2010, "Transmittal Letter" of 3 pages, and September 13, 2010, "Transmittal Letter" of 2 pages). Consequently the information contained therein was not considered or reviewed by the Examiner. The written disclosure often contains information including the identification of English language translations of items listed on the Form PTO-1449, information regarding joint ownership and copending applications, and other information that is not amenable to a tabular format. Information Disclosure Statements not only provide documents, but also can include discussions material to such documents and descriptions of other relevant information.

Accordingly, this Petition has been filed to request the reclassification of the Information Disclosure Statements. The Information Disclosure Statements submitted on January 29, 2010

Applicant : Zhi *et al.*
Serial No. : 10/590,119
Filed : June 11, 2007

Attorney's Docket No.: 3800024.00324 / 1112US
Petition for Correction of Information Disclosure Statement Classification

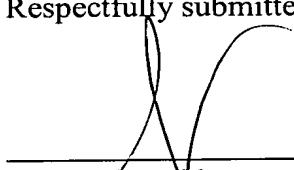
and September 13, 2010 were filed in accordance with 37 C.F.R. 1.97-1.98 and should therefore be classified as Information Disclosure Statements.

Conclusion

Accordingly, correction of the classification in PAIR of the Information Disclosure Statements submitted on January 29, 2010 and September 13, 2010 in connection with the above-referenced application and consideration by the Examiner of the documents and information contained therein, respectfully is requested.

- ☒ The Commissioner is hereby authorized to charge the fee for the petition any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 02-1818.

Respectfully submitted,



Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 3800024.00324 / 1112US
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San Diego, California 92130
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zhi *et al.*
Serial No. : 10/590,119
Filed : June 11, 2007

Art Unit : 1621
Examiner : Katakam, Sudhakar
Conf. No. : 1033
Cust. No. : 77202

Title : **ANDROGEN RECEPTOR MODULATOR COMPOUNDS AND METHODS**

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORD WITH 37 C.F.R. §§ 1.97-1.98**

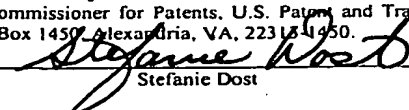
Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee is not required. If it is determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 02-1818.

In accord with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accord with the requirements of 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited non U.S. Patent documents are provided herewith.

The documents cited on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. Patent Applications that are commonly owned and/or has one or more inventors in common with the instant application:

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label Number EM 315456038 US
Date of Deposit: January 29, 2010
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.


Stefanie Dost

Applicant : Zhi et al.
Serial No. : 10/590,119
Filed : June 11, 2007

Attorney's Docket No.: 3800024.00324/ 1112US
Supplemental Information Disclosure Statement

Application No.	Filing Date	Attorney Docket No.
US 11/883,247	07/26/07	3800024.00451/1119US
US 12/084,797	02/20/09	3800024.00493/1123US
US 11/921,366	02/27/09	3800024.00461/1124US
US 11/931,395	10/31/07	3800024.00543/4204B

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, this Supplemental Information Disclosure Statement (sIDS) includes a subsequent publication by inventors of this application.

The table below includes a column that provides a space for the Examiner's initials next to the document to be considered. The document cited on the table below is in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed item is necessary. This Supplemental Information Disclosure Statement includes the application number of the application in which the IDS is being submitted, a column that provides a blank space next to the citation for the Examiner's initials, a heading on the listing that clearly indicates the list is an Information Disclosure Statement, and a copy of the document listed below. Therefore, this sIDS is in compliance with 37 CFR §§ 1.97, 1.98 and MPEP § 609 and Applicant respectfully requests that Examiner consider and initial all information listed in the table below.

Examiner Initial	Document
	Higuchi et al., "Potent, nonsteroidal selective androgen receptor modulators (SARMs) based on 8H-[1,4]oxazino[2,3-f]quinolin-8-ones," Bioorg. Med. Chem. Lett. 17:5442-5446 (2007).

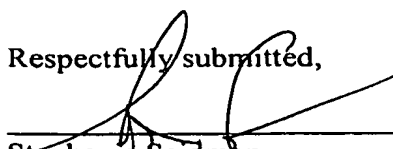
Although these documents and information are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the documents or information, singly or in any combination thereof, is effective as prior art against the subject application. In accord with 37 C.F.R. §1.97(g and h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant : Zhi et al.
Serial No. : 10/590,119
Filed : June 11, 2007

Attorney's Docket No.: 3800024.00324/ 1112US
Supplemental Information Disclosure Statement

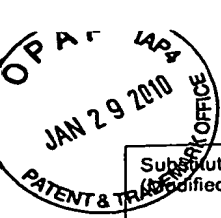
Applicant respectfully requests that the Examiner review the foregoing information and that it be made of record in the file history of the above-captioned application.

Respectfully submitted,



Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 3800024.00324/ 1112US
Address all correspondence to: 77202
Stephanie Seidman
K&L Gates LLP
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San Diego, California 92130
Telephone: (858) 509-7410
Facsimile: (858) 509-7460
email: stephanie.seidman@klgates.com



Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 3800024.00324/1112US	Application No. 10/590,119
		Applicant Zhi et al.	
		Filing Date June 11, 2007	Group Art Unit 1621
List of Patents and Publications for Applicant's Information Disclosure Statement			
(37 CFR §1.98(b))			

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	5,688,808	11/18/97	Jones et al.	514	285	06/05/95

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AB	WO 96/19458	06/27/96	WIPO				
	AC	WO 03/090672	11/06/03	WIPO				
	AD	WO 05/090282	09/29/05	WIPO				
	AE	WO 06/138347	12/28/06	WIPO				
	AF	WO 07/075884	07/05/07	WIPO				
	AG	WO 09/082437	07/02/09	WIPO				

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AH	Harrowven et al., "A new cascade radical reaction for the synthesis of biaryls and triaryls from benzyl iodoaryl ethers," Tet. Lett. 42:961-964 (2001).
	AI	Pan, H. and T. Fletcher, "Derivatives of fluorene. IX. 4-hydroxy-2-fluorenamine; new 3,4-benzocoumarin derivatives," J. Org. Chem. 25:1106-1109 (1960).
	AJ	Prasmitskene et al., "The synthesis and study of the reactivity of p-[di-(2-chloropropyl)amino]phenylalkanoic acids," Bull.Acad.Sci. USSR. Chem. Sci. 3:576-579 (1969).
	AK	Zhi et al., "5-aryl-1,2-dihydrochromeno[3,4-f]quinolines: a novel class of nonsteroidal human progesterone receptor agonists," J. Med. Chem. 41(3):291-302 (1998).
	AL	Zhi, L. and K. Marschke, "Novel class of non-steroidal progesterone receptor antagonists," Expert Opin. Ther. Patents 9(6):695-700 (1999).

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Art Unit : 1625
Examiner : Chandrakumar, Nizal S.
Conf. No. : 1033
Cust. No. : 77202

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ACCORD WITH 37 C.F.R. §§ 1.97-1.98**

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"Express Mail" Mailing Label Number: EM 315456863 US

Date of Deposit: September 13, 2010

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.


Christopher M. Ochs

Applicant : Zhi et al.
Serial No. : 10/590,119
Filed : June 11, 2007

Attorney's Docket No.: 3800024.00324/ 1112US
Supplemental Information Disclosure Statement

Application No.	Filing Date	Attorney Docket No.
US 12/734,993	06/07/10	3800024.00594/1138US

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, this Supplemental Information Disclosure Statement (sIDS) includes a subsequent publication by inventors of this application.

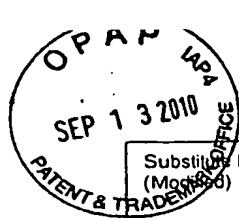
Although these documents and information are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the documents or information, singly or in any combination thereof, is effective as prior art against the subject application. In accord with 37 C.F.R. §1.97(g and h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

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Respectfully submitted,

Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 3800024.00324/ 1112US
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K&L Gates LLP
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San Diego, California 92130
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Substitute Form PTO-1449
(Mandatory)U.S. Department of Commerce
Patent and Trademark OfficeAttorney's Docket No.
3800024.00324/1112USApplication No.
10/590,119List of Patents and Publications for Applicant's
Information Disclosure StatementApplicant
Zhi *et al.*Filing Date
June 11, 2007Group Art Unit
1625

(37 CFR §1.98(b))

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	2010/0069379	03/18/10	Zhi <i>et al.</i>	514	230.5	11/13/09
	AB	7,696,246	04/13/10	Zhi <i>et al.</i>	514	457	06/23/05
	AC	7,727,980	06/01/10	Zhi <i>et al.</i>	514	215	01/31/06

Foreign Patent Documents or Published Foreign Patent Applications

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
None								

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AD	Kapil <i>et al.</i> , "Phase I clinical trial of LGD-4033, a novel selective androgen receptor modulator (SARM)," 14th International Congress of Endocrinology, Kyoto, Japan, March 26-30, 2010, 1 page [poster presentation].
	AE	Vadja <i>et al.</i> , "LGD-4033 builds muscle and bone with reduced prostate activity and may be beneficial in age-related frailty," Gerontological Society of America 62nd Annual Scientific Meeting, Atlanta, Georgia, Nov. 18-22, 2009, 1 page [poster presentation].

Examiner Signature

Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.